



WISCONSIN LEGISLATIVE COUNCIL

AMENDMENT MEMO

2003 Assembly Bill 9	Assembly Amendments 1 and 2
<i>Memo published: October 2, 2003</i>	<i>Contact: Rachel E. Letzing, Staff Attorney (266-3370) and John Stolzenberg, Chief of Research Services (266-2988)</i>

The Joint Committee for Review of Administrative Rules suspended the provisions of the Department of Natural Resources (DNR) rule regarding the gypsy moth suppression program that requires eligible insecticide treatment areas to be at least 40 contiguous acres in a compact and regular shape or be of at least 20 acres of publicly owned land surrounded by ineligible land.

Assembly Bill 9 provides that if DNR establishes a gypsy moth suppression program, DNR must promulgate rules to implement the program. The bill requires the rules to specify that an area is not eligible for aerial insecticide treatment unless the area is at least 20 acres in size. It also provides that current law provisions that apply to the designation of infestation control zones do not apply to the gypsy moth suppression program.

Assembly Amendment 1 specifies that an area is not eligible for aerial insecticide treatment under the program unless the area is at least 20 **compact and contiguous** acres in size.

Assembly Amendment 2 requires rules promulgated by the DNR to implement the gypsy moth suppression program to require an eligible applicant to notify landowners and tenants located within the proposed insecticide treatment blocks and within an area surrounding those blocks. It specifies that notification must include publication of a notice in a local newspaper at least 10 days before the deadline for landowners and tenants to register an objection to treatment on land under their control, issuance of a press release at least 10 days before the deadline for landowners and tenants to register an objection and holding a public meeting at least seven days before the deadline for landowners and tenants to register an objection. The amendment lists the specific information that must be provided in a published notice and a press release, and also requires the published notice, press release, and public meeting to each include a statement that all of the following apply: if a landowner or tenant registers a timely objection to treatment on land under their control, the applicant may not treat that land; and if a landowner or tenant does not register a timely objection to treatment of land under their control, the applicant may treat that land.

Legislative History

Assembly Amendment 1, offered by Representative Friske, was adopted by the Assembly Committee on Forestry on February 11, 2003 on a vote of Ayes, 5, Noes, 0.

Assembly Amendment 2 was offered by Representative Seratti and adopted by the committee on the same date on a vote of Ayes 5, Noes, 0.

By a vote of Ayes, 5, Noes, 0, the committee recommended passage of Assembly Bill 9, as amended.

On March 13, 2003, the Assembly adopted Assembly Amendments 1 and 2 and passed Assembly Bill 9, as amended, on separate voice votes.

The Senate Committee on Environment and Natural Resources recommended concurrence in Assembly Bill 9 on a vote of Ayes, 5, Noes, 0, on August 27, 2003.

On October 1, 2003, the Senate concurred in Assembly Bill 9 on a voice vote.

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